

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 21, 2006

DIVISION ONE

B186278 People (Not for Publication)
v.
Raul A. Hurtado

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Mallano, Acting P.J.
 Rothschild, J.

B189784 Los Angeles County, D.C.S.
v.
Lisa B.

B191628 Los Angeles County, D.C.S.
v.
Lisa B.

Filed order consolidating above captioned appeals.

DIVISION TWO

B190032 Ana P., et al.
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

Filed order denying petition for rehearing (filed by Ana P.).

DIVISION FOUR

B183893 Avalon Center Investment Company (Not for Publication)
v.
City of Carson et al.

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

B187045 Ghanizadeh (Not for Publication)
v.
Moghtader et al.

The order of the trial court denying the payment of attorney fees is affirmed. The parties shall bear their own costs on appeal.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

B188947 Los Angeles County, D.C.S. (Not for Publication)
v.
Vanessa D., et al.

The orders of the juvenile court (terminating parental rights as to Mother and Father) are affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FOUR (Continued)

B187225 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Tyrone N.

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
 Suzukawa, J.

DIVISION FIVE

B183174 Salawar (Not for Publication)
 v.
 Ocean Towers Housing Corporation

The award of attorney fees is affirmed. Ocean Towers shall recover its costs on appeal.

Kriegler, J.

I concur: Armstrong, Acting P.J.
I dissent: Mosk, J. (Opinion)

B182555 Cebular (Certified for Partial Publication)
 v.
 Cooper Arms Homeowners Association

The judgment is affirmed except as to the attorney fee award. The order awarding attorney fees is reversed and remanded for a determination of attorney fees under Civil Code sections 1717, subdivision (a) and 1354, subdivision (c). Defendant, Cooper Arms Homeowners Association, is awarded its costs and attorney fees on appeal from plaintiff, John Cebular.

Turner, P.J.

I concur: Kriegler, J.
I concur: Mosk, J. (Opinion)

DIVISION FIVE (Continued)

B188414 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 La Dana J.

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

B185292 Estate of Molina (Not for Publication)
 v.
 De La Puente

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, Acting P.J.

We concur: Mosk, J.
 Kriegler, J.

B188256 Los Angeles County D.C.S. (Not for Publication)
 v.
 Andre L.

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
 Kriegler, J.

DIVISION SIX

B184701 People (Not for Publication)
v.
Lowerison

The restitution fine under section 1202.4, subdivision (b), which was imposed in case No. F336724, is modified from \$1,000 to \$200, and the corresponding parole revocation fine under section 1202.45 is similarly modified to \$200. The superior court shall forward a copy of the amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B186132 People (Certified for Publication)
v.
Martin L.

The order is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B182694 Perry (Not for Publication)
v.
Bierbaum

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (Continued)

[illegible]

The judgment is conditionally reversed and the case remanded with directions to the trial court to conduct an in camera hearing on Tarlton's discovery motion regarding the planting of evidence. If the hearing reveals no discoverable information, or if there is discoverable information and appellant cannot establish he was prejudiced by the denial of discovery, the trial court shall reinstate the original judgment and sentence which shall stand affirmed. (*People v. Hustead* (1999) 74 Cal.App.4th 410, 423.) If appellant can establish he was prejudiced by the denial of discovery, the trial court shall order a new trial.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B190266 Child Protective Services (Not for Publication)
v.
Reena B.

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

August 21, 2006 (Continued)

DIVISION SIX (Continued)

B190068 Santa Barbara Co. Child Protective Services (Not for Publication)
v.
Amber Y. and Robert L.
In re Alize S.

The order denying the modification petition is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B188619 Santa Barbara Co. Child Protective Services (Not for Publication)
v.
Carlos R. and Lorena W.
In re Gary D. and Daniel R.

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B187597 People (Not for Publication)
v.
Watts

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B184186	People v. Mesa
B184210	People v. Ashley L.
B185737	People v. Weir
B186471	People v. Manuel G.
B187191	People v. Benitez
B187845	DCFS v. James W., et al.,
B188631	DCFS v. Stacey R.
B188983	DCFS v. Heather G.
B182004	People v. Serrano
B183197	Feinberg v. GMAC Mortgage Corp.,

Argument waived, cause submitted.

B180009	People v. Lewis
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Merits:

Argued by William Heyman for appellant and by Timothy Weiner, Deputy Attorney General for respondent. Cause submitted.

B175934	People v. Hollie
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Merits:

Argued by Jeffrey Kravitz for appellant and by Ryan McCarroll, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B176842 People
 v.
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Merits:

Argued by Seymour Amster for appellant and by Stephanie Miyoshi, Deputy Attorney General for respondent. Cause submitted.

B170885 People
 v.
 Romero et al.,

Merits:

Argued by David Goodwin and Richard Rubin for appellants and by Kenneth Sokoler, Deputy Attorney General for respondent. Cause submitted.

B178915 McMurtry et al.,
 v.
 Farmers Insurance Exchange et al.,

Merits:

Argued by Jeffrey Ehrlich for appellants and by Richard Mainland for respondents. Cause submitted.

B177486 Ogata
 v.
 J.G. Construction et al.,

Merits:

Argued by appellant Aiko Ogata in propria persona and by Joel Bryan for respondents. Cause submitted.

Court recessed at 11:01 p.m.

August 21, 2006 (Continued)

DIVISION SEVEN (Continued)

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B185068 Enamorado v. Pimentel

Argument waived, cause submitted.

B186034 Lambert et al.,
v.
Santa Monica Rent Control Board

Merits:

Argued by Michael Koenig for appellants and by Keith Kresge for respondent. Cause submitted.

B183963 Murphy
v.
Shamilian

Merits:

Argued by Michael Murphy for appellant and by Leon Small for respondent. Cause submitted.

B190030 Weissman
v.
Superior Court, Los Angeles County
(McDonald, r.p.i.)

Merits:

Argued by H. Thomas Watson for petitioner and by Kevin Stack for real party in interest. Cause submitted.

DIVISION SEVEN (Continued)

B188695 Barsamyan
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:
Argued by John Scott, Deputy Public Defender for petitioner and by
Katharine MacKenzie, Deputy City Attorney for real party in interest.
Cause submitted.

Court adjourned.

DIVISION EIGHT

B181634 People
 v.
 Palacios

Filed order denying petition for rehearing.

B189030 Los Angeles County, D.C.S.
 v.
 Adan M.,
 In re Alexandra M. et al., a Person Coming Under the Juvenile Court Law.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal
filed February 10, 2006) dismissed.

B189633 Manny V.
 v.
 Roman Catholic Archbishop of Los Angeles
 In Re Clergy Cases I; Clergy Cases II

Filed order denying petition for rehearing.